



November 4, 2009

House Energy and Technology Committee
Lansing, Michigan 48912

Re: HB 5334 – Yard Clippings Ban Exemption

Dear Representatives,

The Michigan Environmental Council was established in 1980 and is a coalition of environmental, public health and faith based groups from across Michigan. We have worked in a variety of areas including waste disposal and energy policy since our inception. **More greenhouse gases, more landfills and more layoff notices make this bill bad policy for the state of Michigan.**

We worked on the 1995 legislation that placed the ban on yard waste in Michigan. We supported the ban because first and foremost – yard clippings are not trash. That has not changed. Managing yard clippings at the point of generation provide the maximum benefit for the environment. Grass clippings if not collected and allowed to return to the lawn leads to a healthier lawn that needs less watering. Secondly, all yard waste when combined and composted creates a soil enhancement that can benefit gardens and green spaces around a home or business.

Capturing landfill gas is not cutting edge technology – it is simply a way to minimize the environmental impacts of the methane generated in landfills. In-vessel composting of organic waste is also used to capture both organic gases for the purpose of energy production, and still have a by-product of soil enhancement materials. This proposed legislation is a step in the wrong direction in the management of organic materials.

Landfills, on the other hand, are a source of toxic air pollutants, a potential risk to drinking water and can be a nuisance lowering the property value of nearby homes. **Therefore, absent a clear showing of other benefits, the default should be to reject any policy that leads to the construction of more landfills in our communities.** The legislation also will be an administrative nightmare, making enforcement of the yard waste ban virtually impossible, especially in those communities that send waste to a variety of facilities.

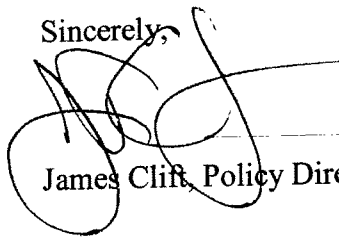
Of also critical importance these days is the loss of jobs that will occur due to this bill. This bill will lead to some composting companies closing their doors, people losing their jobs, and significant losses by those who have financed expensive composting machinery. Educational efforts over the last twenty years of the value of mulching mowers, backyard composting and soil enrichment will be undermined.

There has also been some misinformation on the amount of energy that will be generated. If all major landfills in the state put in gas collection systems we would have approximately 270 MW of capacity. Adding yard waste to those landfills only increases that capacity to around 300 MW. Therefore, adding yard waste will only lead to an approximate 30 MW increase in landfill gas capacity. Passage of the renewable energy standard in 2008, significantly increase the price received by landfills for their energy produced. That law will lead to virtually all landfills that have collection capability putting collections systems in. Although adding yard clippings will lead to a slight increase in power production, the primary benefit of this bill to waste companies will be to eliminate the composting industry in this state as competition.

Lastly, including yard waste into landfills would have a net impact of increasing greenhouse gases into our atmosphere. This is because the breakdown of these materials in the low oxygen landfill setting creates methane instead of carbon dioxide. Methane is a much more powerful greenhouse gas than carbon dioxide (23 times more). This fact coupled with relatively low gas collection rate of landfills leads to a net increase in greenhouse gases. The overall projected increase in renewable energy of approximately only 30 MW annually is made meaningless by the increase in greenhouse gases.

More greenhouse gases, more landfills and more layoff notices make this bill bad policy for the state of Michigan. Instead Michigan should be exploring policies that would make us a clean energy leader around the country. We urge members to oppose HB 5334.

Sincerely,



James Clift, Policy Director